

AMENDED IN SENATE JUNE 5, 1996

AMENDED IN SENATE MAY 21, 1996

AMENDED IN SENATE APRIL 22, 1996

SENATE BILL

No. 1983

**Introduced by Senator Haynes
(Coauthor: Senator Solis)**

February 23, 1996

An act to add Section 4024.4 to the Penal Code, relating to crime.

LEGISLATIVE COUNSEL'S DIGEST

SB 1983, as amended, Haynes. Victim notification program.

Under existing law, notice of any hearing to review or consider the parole suitability or the setting of a parole date for any prisoner in a state prison shall be sent, upon request, by the Board of Prison Terms at least 30 days before the hearing to any victim of a crime committed by the prisoner, or to the next of kin of the victim if the victim has died.

This bill would require the board of supervisors of each county to establish a notification procedure to provide information of the release of ~~incarcerated persons~~ *any person incarcerated at, or arrested and released on bail from, a county jail or any other local detention facility* to those persons who have requested to be notified. The bill would authorize the county to contract with a private entity to implement this procedure. Because the bill would create additional duties for

local agencies, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4024.4 is added to the Penal
2 Code, to read:

3 4024.4. (a) The board of supervisors of each county
4 shall establish a notification procedure to provide
5 information of the release of ~~incarcerated persons from~~
6 *any person incarcerated at, or arrested and released on*
7 *bail from, a county jail or any other local detention*
8 *facility, as defined in Section 6031.4,* to those persons who
9 have requested to be notified. The county may contract
10 with a private entity to implement this procedure.

11 (b) Notwithstanding any other law, the sheriff or other
12 official in charge of a county jail *or any other local*
13 *detention facility, as defined in Section 6031.4,* shall make
14 available to any private entity under contract pursuant to
15 subdivision (a) all information necessary to implement
16 the notification procedure in a timely manner. The
17 private entity under contract shall be responsible for
18 retrieving the information and notifying the requester
19 through computer or telephonic means and, if unable to
20 notify the person requesting the information by these
21 means, the sheriff or other official in charge of a county

1 jail or any other local detention facility, as defined in
2 Section 6031.4, shall send written notification by mail.

3 (c) The sheriff or other official in charge of a county
4 jail or any other local detention facility, as defined in
5 Section 6031.4, shall work cooperatively with law
6 enforcement agencies within the county and local victim
7 centers established under Section 13835 to ensure that
8 information about the notification procedure is provided
9 to victims of crime.

10 SEC. 2. Notwithstanding Section 17610 of the
11 Government Code, if the Commission on State Mandates
12 determines that this act contains costs mandated by the
13 state, reimbursement to local agencies and school
14 districts for those costs shall be made pursuant to Part 7
15 (commencing with Section 17500) of Division 4 of Title
16 2 of the Government Code. If the statewide cost of the
17 claim for reimbursement does not exceed one million
18 dollars (\$1,000,000), reimbursement shall be made from
19 the State Mandates Claims Fund.

20 Notwithstanding Section 17580 of the Government
21 Code, unless otherwise specified, the provisions of this act
22 shall become operative on the same date that the act
23 takes effect pursuant to the California Constitution.